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UNCLAS COLOMBO 001503

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E.O. 12958: N/A

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SUBJECT: SRI LANKAN SUPREME COURT DECIDES PRESIDENTIAL
ELECTIONS IN 2005

REF: A. COLOMBO 1446

[1](#)B. COLOMBO 1354

[1](#)1. (U) On August 26 a five-judge bench of the Supreme Court ruled that presidential elections must take place between October 28 and November 22, 2005. The decision, rendered in response to a petition filed by the opposition Jathika Hela Urumaya (JHU) party, ends months of speculation whether polls would be held this year or next (Reftels). Uncertainty about the election date arose from conflicting interpretations of when incumbent President Chandrika Kumaratunga's second term in office ends. With the Court's determination that her term ends in December 2005, actual scheduling of the election within the specified time frame now falls to Election Commissioner Dayananda Dissanayake. He is expected to make an announcement within the next few weeks.

[1](#)2. (U) Despite the uncertainty surrounding the date, political parties on both sides of the aisle have been in full campaign mode since the government lost its largest coalition partner, the Janatha Vimukthi Peramuna, in June. In July the opposition United National Party (UNP) announced that its leader and two-time Prime Minister Ranil Wickremesinghe would be its next presidential candidate and Deputy UNP Leader Karu Jayasuriya its candidate for Prime Minister. (Note: Although the current Parliament's term does not end until 2010, there is widespread speculation that the President may dissolve Parliament, forcing general elections more or less concurrently with presidential polls. End note.) On August 1 President Kumaratunga announced that incumbent Prime Minister Mahinda Rajapakse would carry her Sri Lankan Freedom Party's (SLFP) nomination for President, while presidential sibling and recently appointed Foreign Minister Anura Bandaranaike was given the nod for Prime Minister.

[1](#)3. (SBU) Comment: Even though the President and her SLFP have publicly maintained over the past year that presidential elections are not due until the end of 2006--and even though Supreme Court Chief Justice Sarath Silva is widely assumed to be in the President's pocket--the Court's decision comes as little surprise to anyone. On August 24 PM Rajapakse told Charge' that he expected the Court to decide on elections in 2005; later the same day SLFP MP and President's Counsel Wijedasa Rajapakse, who first framed the argument that presidential elections should take place in 2006, told poloff the same. With the August 12 assassination of Foreign Minister Lakshman Kadirgamar by suspected Liberation Tigers of Tamil Eelam (LTTE) insurgents still fresh in voters'--and candidates'--minds, questions about how and whether to advance the peace process will likely dominate electoral debates.

ENTWISTLE